

MINUTES OF REGULAR MEETING August 3, 2011

CALL TO ORDER

Mayor Bischoff opened the meeting at 7:00 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; mailed electronically to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

FLAG SALUTE

ROLL CALL Present: Mr. Severino, Mr. Mazza, Mrs. Dziubek, Ms. McBride

Absent: Mr. Bischoff

Others Present: J. Peter Jost, Esq., Robert Clerico, Twp. Engineer and Ella M. Ruta, Clerk

APPROVAL OF PRIOR MEETING MINUTES

- a. Regular Session Meeting Minutes of July 6, 2011

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X			X	
Ms. McBride					X	
Mr. Bischoff						X

Motion carried

VISITORS

- a. Doru Popescu – concerned with dead tree on Stires Way, not at meeting. The Engineer will write a letter to the homeowner and copy Brass Castle Association.

REPORTS RECEIVED

- a. Road Dept - Weeks Ending 7/10/11; 7/08/11; 7/15/11; 7/22/11
- b. Tax Collector – July 2011
- c. Zoning Officer – July 2011
- d. Animal Control Officer – June 2011
- e. Engineer’s Report
- Perryville Road Project is finished.
 - New grant application discussion.
 - Road maps from Maser delivered.
- f. Trooper Flynn
- Accident at Exit 11, Route 78. Ms. McBride asked if a stop sign rather than yield sign would be better. Mrs. Pat Lingelbach asked about trucks ignoring left turn sign. Mr. Frank Castellano, Race St. made the Committee aware of increased traffic on Race St.

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- Joe Caccavelli, Perryville Estates, handed a letter to Deputy Mayor Mazza asking for bond refund to close out Perryville Estates Project. The Engineer will investigate the facts to resolve the issues surrounding the open bond.
- Mr. Castellano gave status of efforts to have County Parks person to come to meeting to talk about hunting in the County Parks. Discussion of abandoned houses with high grass and what the Township can do. Asked Committee to think about using the Municipal Building for emergency use when heat advisories are issued.

CORRESPONDENCE/WRITTEN COMMUNICATIONS

Mr. Mazza mentioned the following correspondence:

- NJ DOT traffic sign. Meredith Hammond of DOT is waiting for Mayor Bischoff's response. Mr. Mazza said that Mayor has been involved with the State concerning this matter.

At about 8:05 pm Bob Clerico left meeting.

Mrs. Dziubek mentioned the following correspondence:

- Williams Gas Pipeline-Transco, Notice of Application to NJ DEP (Highlands Applicability Determination and Exemption).

Mr. Severino mentioned the following correspondence: None

Ms. McBride mentioned the following correspondence:

- NJLM Membership Advisory – Re: Pie Chart Template Showing constituents Where Their Property Tax Dollars Go. Union Township chart shows only 8% of taxes go for municipal budget.
- NJ RC&D – Re: Feasibility Study to Create Stewardship of Open Space Program. Distribute to UTEC.
- Transco Williams Pipeline Overview – Emergency response. Asking OEM Coordinator to give us a read on how well we are prepared for an emergency. Mr. Mazza will contact Bruce Hirt to attend meeting.

PUBLIC COMMENTS - None

PUBLIC HEARING

**ORDINANCE #2011-11
AN ORDINANCE OF THE TOWNSHIP OF UNION
HUNTERDON COUNTY, NEW JERSEY
FOR THE PREVENTION OF DISORDERLY CONDUCT**

To open Public Hearing

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X					
Mr. Mazza						
Mrs. Dziubek		X				
Ms. McBride						
Mr. Bischoff						X

Motion carried by unanimous favorable vote

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To close Public Hearing

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X					
Mr. Mazza						
Mrs. Dziubek		X				
Ms. McBride						
Mr. Bischoff						X

Motion carried by unanimous favorable vote

To adopt on Second and Final Reading

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mrs. Dziubek			X			
Ms. McBride	X		X			
Mr. Bischoff						X

Motion carried

OLD BUSINESS

- a. **Discussion** – ACH/Credit Card Payment. Tabled.
- b. **Motion to Approve** – Incident Report Form with revisions to title to read “Accident/Incident Report Form”

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mrs. Dziubek	X		X			
Ms. McBride		X	X			
Mr. Bischoff						X

Motion carried

NEW ORDINANCE – 1st Reading**NOTICE**

PLEASE TAKE NOTICE that the following Ordinance was adopted on first reading by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, at a meeting held on the 3rd day of August 2011. The Ordinance was then ordered to be published according to law. Notice is hereby given that the public meeting on said Ordinance will be held on the 7th day of September 2011, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, at which time all interested parties will be heard.

Ella Malecki Ruta,
Municipal Clerk

ORDINANCE 2011-12
AN ORDINANCE OF THE TOWNSHIP OF UNION,
HUNTERDON COUNTY, NEW JERSEY
CREATING THE POSITION OF PARKING ENFORCEMENT
OFFICER AND PRESCRIBING THE DUTIES THEREOF

Section 1. Office created; appointment; qualifications.

- A. Pursuant to R.S. 40A:9-154.7, there is hereby created in the Township of Union, Hunterdon County the office of Parking Enforcement Officer. The Parking Enforcement Officer shall be appointed and removed at will by the Township Committee. The Parking Enforcement Officer shall:
- (1) Be a resident of New Jersey during the term of his or her appointment.
 - (2) Be able to read, write and speak the English language well and intelligently.
 - (3) Be of sound mind and in good health.
 - (4) Be of good moral character.
 - (5) Not have been convicted of any offense involving dishonesty or which would make the person unfit to perform the duties of his or her office.
 - (6) Possess a good familiarity with the ordinances, codes, resolutions, statutes and regulations of the Township of Union, the County of Hunterdon and the State of New Jersey applicable to parking enforcement within the corporate limits of the Township of Union.
- B. **Taking of fingerprints; determination of eligibility and qualifications.**
- (1) An applicant for the position of Parking Enforcement Officer shall have fingerprints taken, which fingerprints shall be filed with the Division of State Police and the Federal Bureau of Investigation.
 - (2) Before any Parking Enforcement Officer is appointed, the chief law enforcement officer of Union Township shall, based upon information supplied by Union Township pursuant to Section 1.A. above, ascertain the eligibility and qualifications of the applicant and report these determinations in writing to the Union Township Committee.
- C. **Completion of training course; waiver.** No person may commence duties as a Parking Enforcement Officer unless that person has successfully completed a training course conducted or approved by Union Township. The Union Township Committee may waive this training requirement for any person otherwise eligible to be appointed as a Parking Enforcement Officer if the person possesses substantially equivalent training and background, as determined by the chief law enforcement officer of Union Township.

Section 2. Powers and duties

- A. The Parking Enforcement Officer shall enforce State, county or municipal statutes and resolutions, ordinances or regulations related to the parking of vehicles within the Township of

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Union, Hunterdon County. The Parking Enforcement Officer shall possess the power and authority, in the manner and to the extent granted by this ordinance, to:

- (1) Issue a parking ticket for a parking offense, as those two terms are defined in the "Parking Offenses Adjudication Act," P.L. 1985, c. 14 (N.J.S.A. 39:4-139.2 et seq.);
- (2) Serve and execute all process for any parking offenses issuing out of the court having jurisdiction over the complaint;
- (3) Cause any vehicle parked, stored or abandoned in the Township in violation of a statute, resolution, ordinance or regulation to be towed away from the scene of the violation and to cause to be collected by the appropriate court official from the vehicle's owner or the owner's agent, on behalf of the Township, the costs of the towing and subsequent storage of the vehicle before surrendering the vehicle to the owner or agent.

Section 3. Uniform.

- a. Prior to the commencement of his or her duties, the Parking Enforcement Officer shall be furnished with a uniform, which shall clearly identify the officer's function. The uniform shall include, but not be limited to, a hat and appropriate badges, which shall bear an identification number or name tag and the name of Union Township. The uniform shall also include an insignia issued by Union Township which clearly identifies the officer's status as a Parking Enforcement Officer. The uniform shall be distinct in color from the uniform of a regular police officer or special law enforcement officer.
- b. The Township shall issue permanent insignia not later than ninety (90) days following its first appointment of a Parking Enforcement Officer. The Township may issue temporary insignia for use prior to issuance of permanent insignia. A Parking Enforcement Officer is deemed to be on duty while the officer is performing the public safety functions enumerated in this ordinance and for which the officer is receiving compensation, if any, from the Township at the rates or stipends as established by ordinance.

Section 4. Exclusion from Police Department and retirement system; use of firearms.

No person appointed as Parking Enforcement Officer shall be a member of the Township of Union Police Department, if a police department is hereafter created in the Township of Union, Hunterdon County nor shall such person be a special law enforcement officer. He or she may not carry or use a firearm while on duty. He or she is not eligible for membership in the Police and Firemen's Retirement System established pursuant to P.L. 19044, c. 255.

Section 5. Term of office; compensation.

The Parking Enforcement Officer shall be appointed for a term of one (1) year, such term expiring on December 31 of the year of his or her appointment. If he or she shall be appointed after January 1 of any year, the appointment shall be deemed, for the purpose of calculating the term, to have commenced the January 1 immediately prior to his or her appointment. He or she shall serve at the pleasure of the Township Committee and such hours and for such compensation as it shall determine by separate resolution or ordinance.

Section 6. Fees for uniforms. The Township may charge a reasonable fee, as determined by the Township Committee, for uniforms supplied pursuant to this ordinance, but shall not charge a fee for the costs of required training or the issuance of a certificate of appointment.

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Section 7. Files and reports. The Parking Enforcement Officer shall maintain an accurate and complete file with respect to every alleged violation or other matter investigated by him or her, and shall file a monthly report of his or her activities, including violations processed by him or her and the disposition thereof, with the Township.

Section 8. Official documents. All files, books and records maintained by the Parking Enforcement Officer are the property of the Township of Union, Hunterdon County. Every Parking Enforcement Officer, on the expiration of his term, shall forthwith deliver to his successor all files, books and records which are in his possession or under his control or maintained by him or her, and if no successor has been appointed, to the Township Clerk.

Section 9. Any ordinances or parts of ordinances inconsistent herewith are hereby modified to the extent of such inconsistencies only.

Section 10. If the provision of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by any court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph, or clause and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 11. This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

Ella Malecki Ruta, Clerk

William F. Bischoff, Mayor

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek				X		
Ms. McBride		X	X			
Mr. Bischoff						X

Motion carried

NOTICE

PLEASE TAKE NOTICE that the following Ordinance was adopted on first reading by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, at a meeting held on the 3rd day of August 2011. The Ordinance was then ordered to be published according to law. Notice is hereby given that the public meeting on said Ordinance will be held on the 7th day of September 2011, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, at which time all interested parties will be heard.

Ella Malecki Ruta,
Municipal Clerk

ORDINANCE 2011-13
AN ORDINANCE OF THE TOWNSHIP OF UNION,
HUNTERDON COUNTY, NEW JERSEY
CREATING A DEPARTMENT OF ROADS AND FACILITIES
AND PRESCRIBING THE FUNCTIONS AND DUTIES THEREOF

BE IT ORDAINED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey as follows:

- 1. Creation; Management.** It is hereby created in the Township of Union a Department of Roads and Facilities (the "Department" or "DRF"). The head of the Department shall be the Union Township Committee, operating and supervising through a designated member of the Township Committee who shall be known as the DRF Liaison. The Department shall serve the following functions:
 - A. Streets and Roads.** The Department shall manage and supervise the maintenance, improvement and operation of all municipal streets and roads with the assistance of the Township Engineer and his office. Specifically, the responsibilities of the DRF shall include, but not be limited to:
 - (1) Maintain and repair all Township roads, streets, culverts and drains.
 - (2) Control vegetation within the rights of way of Township streets and roads, including mowing, weed and brush control, and tree trimming.
 - (3) Maintain and repair storm facilities under Township jurisdiction.
 - (4) Maintain and repair such drainage and conservation easements as are required by law to be maintained by the Township.
 - (5) Keep the Township's streets and roads in clean, safe and usable condition, free from obstructions and hazards, and remove snow and ice there from as required.
 - (6) Undertake road repair projects when so instructed by the Township Committee.
 - (7) Insure that utilities having rights of way within the Township, and contractors operating within the Township, maintain safely the use of public thoroughfares and historic thoroughfares to their original condition upon the completion of work.
 - (8) Install, repair and maintain street traffic signs, lines and markers and paint control signals.
 - (9) Operate a garage for the storage, servicing, repair and maintenance of Township owned vehicles, and supervise such maintenance and repairs as may be done thereto by outside vendors.
 - (10) Control the maintenance of Township vehicles through vehicle operating records, cost studies and replacement schedules.
 - B. Buildings and Grounds.** The DRF shall:
 - (1) Maintain all public buildings owned by the Township.
 - (2) Provide and/or supervise such custodial services for all municipal buildings as may be directed by the Township Committee Liaison.
 - (3) Maintain records of public buildings maintenance and repair activities.
 - C. Parks Facilities;** The DRF shall, in coordination with the Township Committee operating as the Parks Committee, maintain all Township parks and recreation areas, and maintain records of maintenance, repairs and improvements to the parks facilities.
 - D. DRF Foreman; Duties and Responsibilities.** The DRF Foreman shall be responsible for the day-to-day operations of the Department, subject to oversight of the Township Committee and the DRF Liaison. In addition, he shall be responsible for:
 - (1) Establishing all regular and emergency work assignments to DRF staff, and issuing schedules therefore.

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- (2) Establishing rules and regulations for the proper maintenance and repair of all vehicles, equipment and tools used by the Department staff.
 - (3) Maintaining records of repairs to, and periodic maintenance of, all vehicles, tools and equipment of the DRF.
 - (4) Preparing and transmitting to the Township Clerk periodic reports on the activities of the DRF, as directed by the Township Committee.
2. **Severability.** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause of provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.
3. **Repealer.** All Ordinances or parts of Ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency. The former Union Township Road Department is hereby abolished and its employees, vehicles, equipment and tools are hereby transferred to the Department of Roads and Facilities.
4. **Effective Date.** This Ordinance shall take effect after final passage, adoption and publication according to law.

ATTEST:

Ella Malecki Ruta, Clerk_____
William F. Bischoff, Mayor

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mrs. Dziubek	X		X			
Ms. McBride		X	X			
Mr. Bischoff						X

Motion carried

NEW BUSINESS

- a. The following resolution was introduced for adoption:

RESOLUTION #2011-102
UNION TOWNSHIP, HUNTERDON COUNTY
FIREWORKS APPROVAL – HUNTERDON DEVELOPMENTAL CENTER

WHEREAS in order to provide entertainment at the Hunterdon County Developmental Center, located at 40 County Road 513, Clinton, New Jersey, permission has been requested to allow a fireworks display on Friday, September 9, 2011, at approximately 9:00 p.m. or dark; rain date, September 16, 2011;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union that permission is granted to allow a fireworks display at the Hunterdon County Developmental Center on Friday, September 9, 2011; approximately 9:00 p.m. or dark; rain date, September 16, 2011, subject to the following conditions:

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1. The persons conducting the fireworks display and all other persons involved shall hold the Township of Union harmless from any liability in connection with said display.
 1. A Certificate of Liability Insurance listing the Township of Union, 140 Perryville Rd., Hampton, N. J. 08827, as a named insured shall be supplied to the Township Clerk prior to issuance of this consent.
3. Compliance with all requirements of law and any requirements of the Township's Insurance Carrier.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff						X

Motion carried

- b. The following resolution was introduced for adoption:

**RESOLUTION #2011-103
TOWNSHIP OF UNION, HUNTERDON COUNTY
RESOLUTION TO AUTHORIZE DIRECT MAILING**

WHEREAS, N.J.S.A.54:5-26 requires the Tax Collector to advertise the Notice of Tax Sale for four weeks prior to the tax sale; and

WHEREAS, N.J.S.A.54:5-26 provides that the Tax Collector may give notice by direct mail in lieu of two publications, the cost of which shall not exceed \$25 for each such notice, which cost shall be added to the cost of the sale.

NOW, THEREFORE, BE IT RESOLVED, on this 3rd day of August, 2011, by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, that:

1. The Tax Collector may provide notification by Direct Mail in lieu of two publications.
2. The cost of each Direct Mailing shall be set at \$25.00
3. This Resolution shall take effect immediately upon adoption.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mrs. Dziubek	X		X			
Ms. McBride		X	X			
Mr. Bischoff						X

Motion carried

- c. The following resolution was introduced for adoption:

RESOLUTION #2011-104
Opposing SCR-107, Proposed Constitutional Amendment
Reducing Property Taxes for Certain Preserved Open Space

WHEREAS, SCR-107 proposes an amendment to the New Jersey Constitution providing for reduced property taxes for certain privately held lands permanently preserved for Open Space; and

WHEREAS, SCR-107 would provide reduced property taxes for land that is at least 5 acres in area and able to be subdivided into more than one parcel and developed under existing zoning and land use laws; and

WHEREAS, the Union Township Committee is concerned that SCR-107 conflicts with the State Mandate State Pay constitutional amendment, and this Township would object to any constitutional or statutory change that does not hold municipalities harmless with regard to the increased costs that would be generated by the proposed constitutional amendment; and

WHEREAS, the various open space programs of the State, counties and municipalities are commendable programs that preserve land for conservation, and limit development, which, however in turn limit ratables available to municipalities; and

WHEREAS, the provisions of SCR-107 would further reduce revenue to municipalities and place an additional property tax burden on already beleaguered taxpayers;

NOW THEREFORE BE IT RESOLVED that Union Township opposes SCR-107 in its present form; and

BE IT FURTHER RESOLVED that this Township Committee declares that during this economic crisis with a 2% tax levy cap, with limited management reforms, the State of New Jersey should not permit another diversion of municipal funds without a dedicated funding source; and

BE IT FURTHER RESOLVED, that copies of this Resolution shall be forwarded by the Municipal Clerk to New Jersey Governor Chris Christie, to State Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, Michael Doherty, to our two Representatives in the General Assembly, Erik Peterson and John DiMaio, to each of the municipalities of Hunterdon County and to the New Jersey League of Municipalities.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mrs. Dziubek	X		X			
Ms. McBride			X			
Mr. Bischoff						X

Motion carried

d. The following resolution was introduced for adoption:

RESOLUTION #2011-105
Opposing Northeast Supply Link Project,
Docket No. FP11-4-000, Stanton Loop
Transcontinental Gas Pipeline Company LLC

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WHEREAS, Transcontinental Gas Pipeline Company (“Williams/Transco”) is proposing to expand its natural gas pipeline infrastructure through Union Township by adding a third pipeline of 42 inch diameter, the Stanton Loop, to their existing 24 inch and 36 inch diameter pipelines, as part of its Northeast Supply Link Project, Docket No. PF11-4-000; and

WHEREAS, Township Committee members have already expressed concerns regarding the pipeline expansion project based on safety issues, its potential harm to municipal and county infrastructure, and its likely impact upon existing and future development in the Township; and

WHEREAS, the Township Committee is concerned that the existing Williams/ Transco pipelines are over fifty years old and damage to them may occur as the new pipeline is installed next to and in some portions, underneath, the existing lines, and heavy construction machinery will be used in close proximity to the existing lines. Heavy equipment will also be in close proximity to the foundations of homes due to the constraints of available work space, with proposed temporary work space planned within 25 feet of existing residential structures. Temporary work space usage will also impact the existing soil, reducing water absorption, and may increase future flooding possibilities; and

WHEREAS, the Township Committee is concerned about the hazards the project may create due to the nature and volume of the highly pressurized flammable gases flowing through the proposed pipeline, adjacent to two additional pipelines, and its proposed route, which crosses County Route 513, Patrick Drive, twice crosses a proposed new residential road, and traverses numerous residential driveways, and 1,200 linear feet of state funded Green Acres municipal park land, commonly known as “Milligan Farm”. These lands will be in the “Blast Zone”, should a disaster occur; and

WHEREAS, the New Jersey Board of Public Utilities and New Jersey Administrative Code, Title 14, Chapter 7, Subchapter 1 states, “No person shall install...a natural gas pipeline with a maximum operating pressure in excess of 250 psig within 100 feet of any building intended for human occupancy” and the project as currently proposed will be within approximately 100 feet of five residential structures in Union Township, one structure as close as 35 feet to the proposed pipeline, in addition to three residential structures which have received initial approval for construction; and

WHEREAS, the Township Committee is reminded of the gas pipeline explosions in Edison and Bernards Township, New Jersey and the five pipeline explosions that have occurred so far in 2011 in Philadelphia, PA, Allentown, PA, Hanover Township, OH, Minnesota, and Floresville, TX; and

WHEREAS, a potential pipeline explosion could harm hundreds of people, we express grave concerns about the safety of this project in its proposed form and demand assurances that the project will be protective of the health, safety, and welfare of our citizens; and

WHEREAS, the Township Committee’s responsibility is to provide a safe environment for its residents, and this pipeline raises serious safety concerns as described above; and

WHEREAS, the pipeline project is being proposed based on speculative consumer demand and a glut of natural gas being supplied by drillers in the Marcellus Shale region; and

WHEREAS, data from the U.S. Energy Information Administration shows that, between 1999 and 2009, total natural gas consumption for all sectors decreased by 13.3% in New Jersey and 10.4% in New York; and

WHEREAS, data from the U.S Energy Information Administration shows that, between 1999 and 2009, industrial demand for natural gas fell by 75.6% in New Jersey and 28.4% in New York, which means industrial consumption in 2009 was at its lowest levels since 1978 in New Jersey and 1967 in New York; and

WHEREAS, the 2010 U.S. Energy Information Administration's *International Energy Outlook* document finds that total U.S. natural gas consumption will decline from 2007 to 2015 due to "slow growth in electricity demand, completion of coal-fired plants currently under construction, and additions of new renewable capacity," and not return to 2007 levels until 2025; and

WHEREAS, the proposed project may result in a loss of tax revenue for Union Township based on right-of-way agreements with Williams/Transco and a decline in the property values of homes along and adjacent to the new pipeline and surrounding neighborhoods as a direct result of the project; and

WHEREAS, consumer demand must be proven and environmental, public safety, and homeowner impacts resulting from the project must be studied before the Federal Energy Regulatory Commission grants Williams/Transco a Certificate of Public Convenience and Necessity; and

WHEREAS, the New Jersey Legislature recognized the significance of the New Jersey Highlands region and afforded special protection to the region and its resources in 2004 with the passage of the New Jersey Highlands Water Protection and Planning Act. The Act created the Highlands Water Protection and Planning Township Committee and the Highlands Regional Master Plan to ensure resource based planning would be used in the Highlands to combat sprawl and the depletion of water quality and quantity as the region provides drinking water to 5.4 million state residents; and

WHEREAS, Union Township is located within the New Jersey Highlands Region and has declared its intention to conform to the Highlands Regional Master by submitting a conformance petition to the New Jersey Highlands Water Protection and Planning Township Committee; and

WHEREAS, the federal government acknowledged the exceptional value of Highlands resources and the urgent need for their preservation in 2004 when Congress passed the Highlands Conservation Act which "recognize[s] the importance of the water, forest, agricultural, wildlife, recreational, and cultural resources of the Highlands region, and the national significance of the Highlands region to the United States."; and

WHEREAS, Union Township contains critical Highlands open water resources, open water protection areas, and wetlands, including the Spruce Run Reservoir and the Sidney Brook, a Category 1 stream which empties into the South Branch of the Raritan River, which provides drinking water to over one million state residents and may be negatively impacted by this project as the pipeline route crosses watershed lands, several tributaries of the Category 1 stream Sidney Brook, related wetlands, and related C-1 stream buffers; and

WHEREAS, several areas proposed for temporary work space outside the permanent and temporary easement are within 25 feet of residential structures; others are within the building envelope of residential structures which have received initial approval for construction; and additional areas proposed for temporary work space are within wetlands zones, open water protection areas, and critical habitat zones according to the Highlands Council Interactive Map; and

WHEREAS, this project will impact Green Acres open space owned jointly, 90.47% by Union Township, and 9.53% by the New Jersey Water Supply Authority, commonly known as Milligan Farm, which based upon Highlands Council Interactive mapping contains critical species habitat, prime groundwater recharge areas, open water protection areas, and is listed as a Forest Resource Area and Moderate Conservation Priority Area; and

WHEREAS, Milligan Farm, in addition to containing the Category 1 stream Sidney Brook and related wetlands which would be directly impacted by the proposed pipeline expansion, also contains an Environmental Infrastructure Trust (EIT) Easement of 8.440 acres +/- covering sensitive and critical watershed area which

includes a tributary to the Sidney Brook, which EIT Easement is located within approximately 100 feet of the proposed new pipeline; and

WHEREAS, Union Township has received confusing and conflicting mapping and other information from Williams/Transco, which is inconsistent with maps and data of the Township and the NJDEP; and

WHEREAS, many Township residents depend on ground water and public community water systems for water supply, and septic systems for waste disposal and this project will impact groundwater quality and quantity and the septic fields of residents along and adjacent to the right of way; and

WHEREAS, the wise stewardship of our natural resources involves protection of Union Township's water supplies and water and other natural resources for generations to come; and

WHEREAS, protection of Union Township's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restoring degraded environments after the fact; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, in the County of Hunterdon, the following recitals are incorporated as of August, 2011

1. The Township Committee opposes the proposed Stanton Loop expansion of Williams/Transco's pipeline within Union Township.
2. The Township Committee calls for a moratorium on any and all planning, proposal, installation, or expansion of the Williams/Transco gas pipeline through Union Township.
3. Because this project will traverse and negatively impact numerous significant natural areas and the resources of the municipality and the Highlands region, the Township Committee requests that FERC require a full Environmental Impact Statement (EIS) be prepared to assess the many environmental consequences of the project.
4. The Township Committee requests a meeting in Union Township with Williams/Transco, which Union Township residents impacted by the proposed pipeline expansion can attend, to discuss localized impacts on the said residents, the Township and its resources and to discuss information from the company on the safety of the project, where this type of expansion project has been constructed before, and what type of equipment and engineering techniques will be used within the Township. The Township Committee also requests information from Williams/Transco on the compensation of home owners and the Township due to losses in property values and tax revenues and losses of quality of life in the Township resulting from this project. The Township Committee requests this information be provided to the Township Committee prior to the meeting, for Township Committee review beforehand.
5. Certified copies of this resolution shall also be distributed to:
 1. Governor Chris Christie
 2. Senator Michael Doherty
 3. State Assemblyman John DeMaio
 4. State Assemblyman Erik J. Peterson
 5. Congressman Leonard Lance
 6. All Hunterdon County Municipalities
 7. The New Jersey Water Supply Authority

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BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Federal Energy Regulatory Commission (FERC) as the comments of this governing body during the scoping process to help FERC determine whether preparation of an environmental impact statement is more appropriate for this Project. A copy of this resolution shall be filed electronically with FERC, and a paper copy thereof shall also be filed at the following address:

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

BE IT FURTHER RESOLVED that this resolution shall take effect immediately;

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride	X		X			
Mr. Bischoff						X

Motion carried subject to attorney review.

e. The following resolution was introduced for adoption:

RESOLUTION #2011-106

**Authorizing Advertisement of Request for Proposals Re: Salvage
and/or Demolition of Certain Buildings Located in Hoffman Park,
Union Township, Hunterdon County, New Jersey**

WHEREAS, the property known as Lot 12 in Block 19 on the tax map of the Township of Union, being approximately 354.37 acres, and commonly known as Hoffman Park, was acquired in 1999 by the County of Hunterdon ("County"), with an undivided 2/3 interest and the Township of Union ("Township"), with an undivided 1/3 interest, as tenants in common, with the assistance of Green Acres funding; and

WHEREAS, at the time of its acquisition from the Hoffman family, the said property was the largest tract of privately owned land in Union Township and contained scenic, open space and environmental features that were deemed to be of great importance for preservation by the Township and the County; and

WHEREAS, at the time of the acquisition of Hoffman Park, the participation of the County was expressly conditioned upon the stipulation that the Township would be solely responsible for the maintenance of the buildings and related physical improvements located in Hoffman Park, which stipulation was subsequently memorialized by written agreements between the County and the Township; and

WHEREAS, in the years since the acquisition of Hoffman Park the Township has expended funds in attempting to repair and maintain the six buildings located in the southwesterly area of Hoffman Park, and has investigated various potential adaptive reuses of said buildings, such as affordable housing, without success; and

WHEREAS, the Township, at various times in the past, has rented apartments on the property for residential purposes, with unsatisfactory results; and

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WHEREAS, in 2010, the Property Stewardship Subcommittee of the Union Township Environmental Commission expended much time and effort in developing a Request For Proposals for the curatorship of the former Hoffman House and other buildings located in Hoffman Park. Notwithstanding the efforts of the Stewardship Subcommittee, and the extensive advertising and publicizing of the said RFP, the Township was unable to locate a suitable non-profit organization having the financial resources and organizational skills necessary to carry out an adaptive reuse of the said buildings; and

WHEREAS, despite the expenditures of the Township government, and the dedicated efforts and assistance of Township volunteers and consultants, the various buildings, which were in need of extensive renovation at the time of acquisition of said lands in 1999, have deteriorated further to the point that it is not economically feasible to restore the said buildings to useful and safe condition, and they have become fire and safety hazards, as well as being unsightly; and

WHEREAS, the recent economic crisis, and accompanying downturn in the real estate market, has further reduced the probability of locating a qualified non-profit organization having the desire and financial resources required to undertake the extensive rehabilitation of these structures that would be necessary for their adaptive reuse; and

WHEREAS, the Township has reluctantly come to the conclusion that it is not in a position to continue to spend additional taxpayer dollars necessary to maintain these buildings under present economic and budgetary circumstances; and

WHEREAS, the Township Committee, the Township Environmental Commission and the Property Stewardship Subcommittee, although saddened by the necessity of removing these buildings, nevertheless feels that their removal will enhance access to and utilization of that part of Hoffman Park, which is presently occupied by these structures, which area enjoys some of the most significant scenic vistas in the park; and

WHEREAS, the Stewardship Subcommittee has recommended that the Township solicit bids from qualified contractors for the salvaging and reuse of any recyclable or reusable portions of said structures, if there is interest in same, prior to the demolishing and removal of the buildings, and good cause appearing; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Union, in the County of Hunterdon in the State of New Jersey that the Property Stewardship Subcommittee and the appropriate Township professionals are hereby authorized and directed to proceed with advertising, publicizing and circulating the attached Request For Proposals ("RFP") for salvage and/or demolition of the six buildings located in the southwesterly portion of Hoffman Park, commonly known as the Hoffman House, the Green Office/Garage, the Red Apartment Building, the White Apartment, the Stable Shed and the Powerhouse, said RFP to be returnable prior to the regular September 7, 2011 Township Committee Meeting; and

BE IT FURTHER RESOLVED that a true copy of this resolution shall be forwarded to the Board of Chosen Freeholders of the County of Hunterdon for their concurrence in same; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek			X			
Ms. McBride		X	X			
Mr. Bischoff						X

Motion carried

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f. The following resolution was introduced for adoption:

RESOLUTION 2011-107
RE: GS Realty/Amboy Bank
ESCROW REFUND
52 Cooks Cross Road, Pittstown, NJ 08867

WHEREAS, GS Realty posted an escrow account for a planning board application, and

WHEREAS, GS Realty requested a refund of the unused portion of these fees, and

WHEREAS, all invoices submitted for this application have been paid,

NOW, THEREFORE, BE IT RESOLVED, that the following balance of escrow account # 711952 in the amount of \$333.95 be released to GS Realty.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff						X

Motion carried

g. The following resolution was introduced for adoption:

RESOLUTION 2011-108
ESCROW REFUND
RE: John G. Murray, 10 Anderson Raod
Clinton, NJ 08809

WHEREAS, John G. Murray posted two escrow accounts for planning board applications, and

WHEREAS, John G. Murray requested a refund of the unused portion of these fees, and

WHEREAS, all invoices submitted for this application have been paid,

NOW, THEREFORE, BE IT RESOLVED, that the following balance of escrow account # 711950 in the amount of \$500.000 and that the following balance of escrow account #711450 in the amount of \$457.92 be released to John G. Murray.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek			X			
Ms. McBride		X	X			
Mr. Bischoff						X

Motion Carried

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- h. **Motion to Approve** – Reimbursement Agreement between Transcontinental Gas Pipeline Company, LLC and the Township of Union for cost incurred with “Transco’s North Supply Link: Project. Tabled
- i. **Motion to Approve** - License Agreement between Township of Union and Union Twp. Historical Society to use available space within the Municipal building to set up and operate as the museum. Tabled.
- j. **Motion to Approve** – Participation in Cooperative Purchase; 2011-2012 Winter Snow & Ice Control materials.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff						X

Motion carried

- k. **Motion to Approve:** – 4-Day Walking Pilgrimage from St. Peter & Paul Church, Great Meadows to Our Lady of Czestochowa, Doylestown, PA.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff						X

Motion carried.

- l. **Motion to Approve:** - Best Practices Worksheet CY 2012.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride	X		X			
Mr. Bischoff						X

Motion carried subject to Attorney review.

- m. **Discussion:** Proposed County Shared Animal Control Officer Services.
- Ms. McBride attended Shared Services meeting on July 25th. Will send information to Committee for their review and comments.
- n. **Acknowledgment** – Letter of Resignation from Jeff Polenz, UT Road Dept.
- Mr. Mazza suggested not replacing the position. Will invite the Road Dept. Foreman to attend the September meeting.

REPORTS**Attorney's Report**

- DCA – Need to schedule meeting, re: zoning permits.

Mayor's Report**Committee Report**

Mr. Mazza reported the following:

- Anonymous letter to Mr. Bischoff regarding the need to repair storm drains on Deer Hill Rd. Clerk had notified the Road Dept. Foreman. They are working on it.
- Mayor asked that we recommend a nominee for the 10th Annual Innovation in Governance Awards. Have suggestions for the September meeting.
- Portable Toilets for park. Change vendor to Delaware Valley Septic at a lower cost. Terminate service with current vendor.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek			X			
Ms. McBride		X	X			
Mr. Bischoff						X

Motion carried

Ms. McBride reported the following:

- More information on the County's July 25th Shared Services Meeting. Some items discussed:
 - Hunterdon County will hold an auction in the fall. Municipalities are welcome to participate. More information will be available in next few weeks.
 - Qualified Purchasing Agents
 - SWAC municipal garbage pickup
 - Countywide school consolidation. Mayor King is considering a pilot program with State.
 - Fire equipment. Meeting 9/29/11 meeting with Fire Chiefs, share equipment.
 - Animal Control Services. Survey submitted.
 - Potential tax assessment shared services on County level. Tax Assessor survey completed by participants.
 - Hunterdon County policing authority and idea of a ballot question. HC Sheriff is not interested in doing. Hunterdon County police would be run by the Mayors of participating municipalities. Feasibility study is the next step.
- We have a new shared service with the printing department at the County who did the conservation easement flier.

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- Discussion regarding the Cub Scout Troop using the Old Municipal Building as a temporary storage. Mrs. Lingelbach reminded the Committee that there are historical items in the building that should not be touched. Atty. Jost will draft a letter regarding the issue, subject to the Mayor's review and signature. Atty. Jost asked for the motion to authorizing him to write the letter.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mrs. Dziubek			X			
Ms. McBride	X		X			
Mr. Bischoff						X

Motion Carried

Mrs. Dziubek reported the following: issues/matters discussed earlier at this meeting

Mr. Severino reported the following:

- Quote "A lesson learned is a wonderful and useful thing – a lesson forgotten however is useless and worthless." Author William F. Bischoff.
- Electronics container full at 10,000 lbs.
- Recycling Center would be accepting large appliances for metal scrap container. Residents bringing appliances will be charged \$15 per appliance that contains freon. Atty. Jost asked for a motion to approve the charge.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek			X			
Ms. McBride		X	X			
Mr. Bischoff						X

Motion carried

Clerk's Report

- Additional alarm keypad is installed.
- Need to buy fireproof filing cabinet.
- Raffle License #2011-15 NRA Foundation; on premise merchandise; Oct. 07, 2011
- Raffle License #2011-16 NRA Foundation; on premise 50/50; Oct. 07, 2011
- Raffle License #2011-17 HAS Immaculate Conception School; off-premise merchandise; Nov. 20, 2011
- Raffle License #2011-18 HAS Immaculate Conception School; off-premise merchandise; Nov. 20, 2011
- Raffle License #2011-19 HAS Immaculate Conception School; off-premise merchandise; Nov. 20, 2011
- Raffle License #2011-20 The Arc of Hunterdon Foundation; on-premise 50/50 cash; Aug. 27, 2011

The following recorded vote is an approval of the above listed Raffle Licenses

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Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mrs. Dziubek	X		X			
Ms. McBride			X			
Mr. Bischoff						X

Motion carried

- Raffle License #2011-21 St. Catherine of Sienna Church; on-premise 50/50 cash; Sept. 25, 2011

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza					X	
Mrs. Dziubek	X				X	
Ms. McBride			X			
Mr. Bischoff						X

Motion carried

PUBLIC COMMENTS

Pat Lingelbach – Has there been any activity at the Hoffman House. Ms. McBride was there in the last month and saw no evidence of activity.

PAYMENTS OF BILLS

The approved list of bills and all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek			X			
Ms. McBride		X	X			
Mr. Bischoff						X

Motion carried

EXECUTIVE SESSION – Personnel and Potential Litigation

The following resolution was introduced for adoption:

RESOLUTION #2011- 109

Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

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WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. _____ *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
2. _____ *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in Executive session on August 3, 2011, at 9:22 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff						X

Motion carried

9:26 p.m. Motion to come out of Executive Session

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff						X

Motion carried

ADJOURNMENT - There being no further business to come before the Township Committee at this time, Mr. Severino made a motion to adjourn. Mr. Mazza seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 9:26 p.m.

Respectfully submitted,

Ella M. Ruta, RMC
Township Clerk

William F. Bischoff, Mayor

Prepared by: Pat Essig, Administrative Assistant